

REMARKS

The preceding claim amendments and the following remarks are submitted as a full and complete response to the Office Action issued on April 12, 2007. Claims 22 and 23 have been cancelled and claims 24-28 have been added. No new matter has been introduced by adding new claims.

The Office Action objected to the drawings under 37 CFR 1.83(a) for not showing the cooling apparatus of claim 13. Corrected drawing sheets in accordance with 37 CFR 1.121(d) are hereby submitted. No new matter has been added.

Claim 1-14, 16 and 17 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claim 1, the phrase "the liquid inlets" has been removed. With respect to claim 12, claim 12 has been amended to recite "wherein gas-filled cavities." With respect to claim 13, the narrower statement of the range/limitation, Peltier cooling apparatus, has been removed, including the trademark/trade name "Peltier." With respect to claims 16 and 21, the phrase "or the like" has been removed.

Claims 18-23 were rejected under 35 U.S.C. §101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process. With respect to claims 18-21, these claims have been amended to recite that they are method claims, and further amended to recite steps involved in the process. With respect to claims 22 and 23, these claims have been canceled.

Claims 1, 4-7 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ginsburg in view of McDowell et al. With respect to claim 1, from which claims 2-14 depend, this claim has been amended to recite a second gas-permeable liquid barrier on the basis of wetting resistances being integrated into the collection container for preventing the inflow to the collection container through the liquid inlet after the collection container has been filled, wherein the collapse of said second gas-permeable liquid barrier requires a greater pressure difference thereover than the collapse of the supply liquid barrier. Applicants acknowledge that Ginsburg does not disclose or suggest such a second gas-permeable liquid barrier. McDowell et al fails to cure these deficiencies because McDowell does not disclose a second gas-permeable liquid barrier capable of collapsing, much less a second gas-permeable liquid barrier as recited.

With respect to claim 15, from which claims 16-21 depend, claim 15 recites then interrupting the feed-in of the liquid through the liquid inlet by a second gas permeable liquid barrier on the basis of wetting resistances, wherein collapsing the second gas-permeable liquid barrier requires a greater pressure difference thereover than collapsing the supply liquid barrier, the second gas-permeable liquid barrier being integrated into the collection container, whereupon a pressure in the collection container increases. Applicants acknowledge that Ginsburg does not disclose or suggest such a step of interrupting the feed-in of the liquid, because, at the least, Ginsburg does not disclose or suggest a gas permeable liquid barrier. As per above, McDowell fails to cure these deficiencies McDowell does not disclose a second gas-permeable liquid barrier capable of collapsing, much less the step of interrupting a feed-in as recited.

Applicants thank the Examiner for acknowledging that claims 10 and 12-14 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. New claim 24 is directed to the same embodiment as claim 13, and claim 27 is a corresponding method. Accordingly, Applicants submit that claim 24, from which claims 25 and 26 depend, and claim 27, from which claim 28 depends, all recite patentable subject matter.

Support for new claims 24-38 can be found on pages 3-5.

In light of the foregoing, Applicants submit that all outstanding rejections have been overcome, and the instant application is in condition for allowance. Thus, Applicants respectfully request early allowance of the instant application. The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-2135.

Respectfully submitted,

By


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